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FAIR EMPLOYMENT PRACTICES -- THE IDEAL -
BY LEGISLATION OR BY EDUCATION?

"To seek to change opinions by laws is worse than futile. It not only fails, but it causes a reaction which leaves the opinions stronger than ever. First alter the opinion, and then you may alter the law....The only remedy for superstition is knowledge." (Henry Thomas Buckle, Introduction to the History of Civilization in England - 1861)

1. What does government intervention in private employment mean? Will it affect the freedom of employee and employer in making agreements? Will it grant special privileges to certain individuals? Will it create new minorities?
2. When are minorities more free? When regulated by governmental rules? Or when subject to the laws of free competition in a free economy? If compulsory legislation is adopted by majority vote, what protection will the newly created minority -- those who opposed the majority view on this question -- have?
3. Since "discrimination" (choice) can NEVER be avoided when more than one person applies for an available job, who should have the right to select the future jobholder? The owner or a government official? Who would be better qualified to make the decision? With a transfer of the power to manage business to government supervisors, what new factors might influence the legally-authorized "discriminator"?
4. Would an employer be liable to possible lawsuit whenever he chose between two applicants for one job? How would complaints be reported? Might this threat deter business, production and progress?
5. Suppose employees refuse to work peacefully with certain individuals? Suppose consumers refuse to buy goods made or served by certain individuals? In the event of such prejudices, would the employer always be free to hire the man he considered most efficient? Would a compulsory employment practices law force the employer to hire certain persons even if he might lose his workers or his business?

- (C) 6. If employees or groups of employees (labor unions) refuse to work with certain persons, who will be punished?
7. What is the source of agitation for "equality"? Will this agitation improve the situation, or will it tend to exaggerate distinctions among groups and possibly lead to even more resentment?
- (C) 8. If free competition in the market and mutual agreement do not determine what is fair, how will fairness be decided?
- (C) 9. Under a compulsory employment practices law, can violation of property rights be avoided? If not, what will be the result?
10. Will the cost of enforcement call for increased taxation? If so, will this have an effect on incentive, production and the general welfare?
- (C) 11. If Federal laws govern private employment, what happens to States Rights?
- (C) 12. What happens to individual rights when government officials -- at any level -- are given power to intervene between private employee and employer? What happens to individual morals and responsibility when some men are given power over other men?
- (C) 13. Who creates progress? The "common" or the "uncommon" man? Does emphasis on "equality" raise or lower standards?
- (C) 14. Can legislation lead public opinion -- or must it follow? Which is more conducive to the country's welfare and contentment? Would compulsory legislation accomplish its laudable objectives?
- (C) 15. Can laws make men "good"? What makes a people strong morally and economically? Freedom of choice and opportunity, limited only by a government which protects life, liberty and property from aggression? Or detailed regulation and control of private affairs, subject to a legalistically-determined code of what is "right" and "fair"?

FAIR EMPLOYMENT PRACTICES

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